

REMARKS

Applicants submit herewith a complete listing of all claims with the proper status identifiers as requested in the Notice of Non-Compliant Amendment.

Claims 4-8 were indicated as allowable if rewritten in independent form. Amended Claim 1 is original Claim 1 with the limitations of original Claim 4 added. Claims 2, 3, 5-10 depend from now allowable amended Claim 1. New Claim 28 is original Claim 1 with the limitations of original Claim 7 added. New Claims 29-32 depend from allowable new Claim 28. New Claim 33 is original Claim 1 with original Claim 8 added. New Claims 34-37 depend from allowable new Claim 33.

New independent Claim 38 is presented with the following argument to distinguish it over the cited art of Flint, et al. ('790).

The Flint device is an acoustic device which is itself intended to radiate (or receive) sound. It does this by the use of integral "diabows," and is not capable of coupling with an external surface (for example, a ceiling panel, a wall panel or a window panel) to induce audiofrequency vibrations into that surface. Furthermore, there is really no "foot" in Flint. Thus, the transducer of the present invention (Claim 38) is 'adapted to be located against a surface to include audiofrequency vibrations into said surface whereby...', which is not disclosed or taught by Flint.

New Claims 39-42 depend from allowable Claim 38.

The Applicant asks the Examiner to reconsider the claims presented and to issue a Notice of Allowability.

Date:

3/27/09

Respectfully submitted,

JACKSON WALKER L.L.P.
112 E. Pecan Street, Suite 2400
San Antonio, Texas 78205
210/978-7754
210/978-7790 Fax



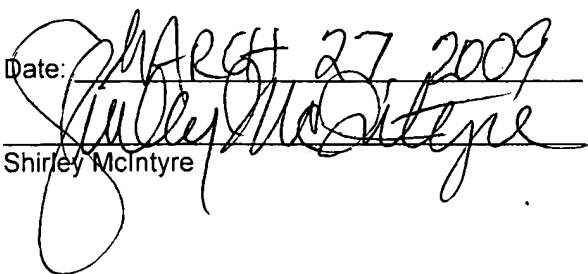
Thomas E. Sisson
Reg. No. 29,348

tsissonipdocket@jw.com

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited on the date shown below with the United States Postal Service, with sufficient postage as First Class Mail (37 CFR 1.8(a)), in an envelope addressed to Mail Stop: RESPONSE/NO FEE, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date:

MARCH 27 2009

Shirley McIntyre